

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-18788 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-17856) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan dated stamped 12/29/2006, and building elevations, date stamped 12/15/2006, except as amended by conditions herein.
4. Waiver from Title 19 – Section 19.12.040 perimeter landscape standards is hereby approved to allow a zero foot buffer where 8 feet is required along the southern property line (interior) adjacent to the parking area, and 6 foot buffer where 15 feet is required along the north side of structure along Gass Avenue.
5. A Waiver of Downtown Centennial Plan streetscape design standards to allow a zero foot landscape buffer where 8 feet is required along the parking area adjacent to Gass Avenue, no amenity zone where 5 feet is required along Gass Avenue, zero East/West shade trees, no decorative paving and lighting along South Sixth Street and Gass Avenue is hereby approved.
6. Existing turf areas shall be removed and replaced with xeriscape. Non-vegetative cover shall be installed in all landscaped areas and shall consist, without limitation, of rocks and small stones, crushed rock and bark, installed to a minimum depth of two inches in all areas.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

14. Site development to comply with all applicable conditions of approval for ZON-17856 and all other site-related actions.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The project is a request for a Site Development Plan Review (SDR) to allow for the conversion of an existing single-family residence to a law office on a 0.16 acre site located at 801 South Sixth Street, southeast corner of Gass Street and South 6th Street.

Two 40-foot Right-of-Ways (ROW) abut the project parcel along Gass Avenue and South Sixth Street. The ROW hinders the ability of the project to meet Title 19 Perimeter Landscape Buffer Widths and Downtown Centennial Plan Streetscape Standards. Therefore, a Waiver of perimeter landscape standards and Downtown Centennial Plan streetscape standards is requested. Public Works will require an Encroachment Maintenance and Removal Agreement for project landscaping within public ROW. Additionally, a companion request to rezone the property to P-R (Professional Office and Parking) from R-4 (High Density Residential) will be considered with this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
11/21/63	The Board of Zoning Adjustment considered and approved a request for Use Permit (U-0073-63) to allow a real estate office at the southeast corner of Gass Street and Sixth Street, R-4 (High Density Residential) Zone.
1993	The Board of Zoning Adjustment considered and approved a request for a Special Use Permit (U-0042-83) to allow Professional Offices on property located at 801 and 803 South 6th Street, where such use is not permitted, R-4 (High Density Residential) Zone.
01/25/07	The Planning Commission recommended approval of companion item ZON-17856 concurrently with this application.
	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ja).
<b><i>Pre-Application Meeting</i></b>	
01/23/06	A Pre-application meeting was held with the applicant. Staff advised the applicant of parking requirements for the P-R Zone and the need for handicapped parking to meet current code. Subsequent to this meeting and due to the proposed change in use from single family residential to office, staff determined additional assessment of the project was needed via a Site Development Plan Review.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not held for this type of application nor is one required.	
<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.16 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	Office and Parking	R-4 (High Density Residential)
North	Parking	Mixed-Use	P-R (Professional Office and Parking)
South	Office	Commercial	R-4 (High Density Residential)
East	Office and Parking	Commercial	P-R (Professional Office and Parking)
West	Office and Parking	Mixed-Use	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Downtown Centennial Plan	Y		Y
Downtown Redevelopment Plan	Y		Y
<b>Special Purpose and Overlay Districts</b>			
Downtown Overlay District	Y		Y
<b>Trails</b>		N	Y
<b>Rural Preservation Overlay District</b>		N	Y
<b>Development Impact Notification Assessment</b>		N	Y
<b>Project of Regional Significance</b>		N	Y

## DEVELOPMENT STANDARDS

*The proposal is located within the Downtown Overlay District. All structures within this district are exempted from the automatic application of the height limitation, required setbacks, lot width, and lot coverage requirements specified in Title 19 - Section 19.08.050 Commercial Development Standards. The following table references the development standards for the P-R (Professional Office and Parking) Zone District in comparison to the proposed site development:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	NA	NA	Y
Min. Lot Width	60	50 feet	Y*
Min. Setbacks			
• Front	20	20	Y
• Side	5	7	Y
• Corner	15	80	Y
• Rear	15	78	Y
Max. Lot Coverage	50 percent	17 percent	Y
Max. Building Height	Lessor of 2 stories or 35 feet	1 story	Y
Trash Enclosure	1	1	Y

Property is located in Downtown Overlay District and is exempt from minimum lot width requirements.

*In accordance with Title 19.12.040, the following Landscape Standards apply:*

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	• 1 Tree/20 linear feet (when adjacent to residential)	2 Trees	1 Tree	N*
	• 1 Tree/30 linear feet (when adjacent to any commercial of industrial use)	2 Trees	0 Trees	N
Buffer: Min. Trees	1 Tree/30 linear Feet	2 Trees	2	Y
TOTAL		6	2	N
Min. Zone Width	<ul style="list-style-type: none"><li>15 Feet along Right-of-Way</li><li>8 Feet along parking areas facing public Right-of-Way</li><li>8 Feet along interior property lines</li></ul>		<ul style="list-style-type: none"><li>20 Ft. front</li><li>6 Feet side</li><li>0 Feet (along parking area adjacent to Gass Street)</li><li>0 Feet along interior property lines</li></ul>	<div>Y</div> <div>N*</div> <div>N</div> <div>N</div>
Wall Height	8 Feet		6-8 Feet	Y

\* A Waiver of perimeter landscaping buffers required. Development Services Department - Development Coordination shall require a Encroachment maintenance and removal agreement for new landscaping within the public Right-of-Way.

*The Downtown Centennial Plan Streetscape Standards apply to the project.*

<b><i>Streetscape Standards</i></b>	<b><i>Required</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Downtown Centennial Plan (Page 40)	Yes (5 foot amenity zones, decorative paving and lighting, 10 foot sidewalks, 8 foot parking lot landscape buffer, North/South Palm Trees, East/West shade trees, parking lot screen, tire stops)	Yes (North/South Palm Trees, parking screen, tire stops) No (most streetscape plan design elements will not be implemented)	No*

\*Waiver of the Downtown Centennial Plan Streetscape Standards required.

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Professional	1,215 square feet	1 space per 300 square feet of g.f.a.	4	1	9	1	Y
TOTAL					9		Y

## ANALYSIS

The project will involve minor exterior improvements to an existing one story house, resurfacing an existing parking lot, removal of existing turf, and installation of xeriscape, street trees, parking lot landscaping and screening. The project lies within the Downtown Centennial Planning area however an existing ROW along Gass Avenue and South Sixth Street limits the ability of the project to meet all Downtown Centennial Plan Streetscape and Title 19 Landscape standards.

- **General Plan Land Use and Zoning**

The project site is designated for Commercial use in the General Plan. The surrounding land use includes mixed use as well as office and parking uses. The project site is currently zoned as R-4 (High Density Residential). A companion rezone request to P-R (Professional Office and Parking) shall be considered concurrently with this Site Development Plan Review. The P-R (Professional Office and Parking) Zone is consistent with the General Plan - Commercial land use category. The project parcel is bounded by Gass Avenue to the north, South Sixth Street to the west, a public alley to the east, and an existing office structure to the south.

- **Overlay Zone**

The proposal is situated within the Downtown Overlay District. All structures in this district are exempt from the automatic application of height limitations, required setbacks, lot width, and lot coverage requirements. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Section 19.06.060. Development in the P-R District involving the conversion of an existing residential structure may maintain the existing setbacks consistent with Title 19.08.050.

- **Neighborhood Plan**

The proposed project is located within the Downtown Centennial Plan (DCP) area, Downtown South subarea. The project is unable to meet the (DCP) streetscape standards for trees, and parking lot landscape setbacks. A Waiver of the perimeter landscape buffer requirements and DCP streetscape standards are included in this request.

- **Site Plan and Landscaping**

The project site plans show an existing 1,215 square foot one-story single family home and paved surface parking lot. The project site is partially covered with grass turf. Title 19 requires landscape buffers of 15 feet along public ROW, and 8 feet along interior property lines. Existing and unmaintained palm trees within a 3 foot landscape buffer parallel to Gass Avenue and situated within the public ROW will be removed and replanted with Chilean Mesquite trees and shrubs. Grass turf will also be removed and replaced with drought tolerant landscaping. Date Palm trees would be installed as streetscaping along the western property line fronting South Sixth Street. Parking lot landscape islands will be constructed in accordance with Title 19 and a 42-inch parking lot screen along the parking lot edge facing Gass Avenue in conformance with the DCP parking requirements. The North/South street on South Sixth Avenue will be planted with 2 Phoenix Date palm trees consistent with Downtown Las Vegas Streetscape design standards.

- **Parking**

As the intent of the Las Vegas Downtown Centennial Plan area focuses on pedestrian oriented development, the proposed project is not subject to the automatic application of parking requirements. Title 19 parking standards for office development require a minimum of 4 parking spaces. As proposed, the project site plan indicates 9 on-site parking spaces including one handicapped accessible space.

- **Historical Resources**

The existing single family house was constructed in 1932 but is not located within any designated historic area of the Downtown Centennial Plan. Additionally, planning staff reviewed the existing property and determined the structure to be ineligible for historic designation as it does not meet the following: (1) Does not meet the criteria for listing on the State or National Register of Historic Places, (2) Is not of exceptional significance nor expresses a distinctive character.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed site improvements to the existing single-family residence structure will blend harmoniously with the surrounding office development.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The project conforms to the General Plan land use for Office. A Waiver of Title 19 perimeter landscape buffers and Downtown Centennial Plan Streetscape standards are requested.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Vehicular access to the project site is provided along Gass Avenue and a public alley south of Gass Avenue. No adverse affects to area traffic movements will result with this proposal.

4. **Building and landscape materials are appropriate for the area and for the City;**

The building exterior will be repainted and repaired as necessary while maintaining the existing architecture. Existing turf landscaping will be replanted with contemporary xeriscape landscaping in conformance with the Downtown Centennial Plan Streetscape and Title 19 Landscape standards.



5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The exterior treatments to the existing structure will upgrade the project site and vicinity thereby resulting in a complementary building with surrounding development.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The project will not adversely affect human health and public safety.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 295 by Planning Department

**APPROVALS** 0

**PROTESTS** 0